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16 July 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Senate Armed Services Committee Action on the Military
Procurement Authorization Bill

1. The following are some highlights of the Senate Armed Services Committee's action on the Military Procurement Bill (H.R. 17123) provision authorizing funds for free world forces in support of Vietnamese forces:

a. Section 502 of the bill provides that:

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"(a)(1) Not to exceed [] of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos and Thailand; and for related costs, during the fiscal year 1971 on such terms and conditions as the Secretary of Defense may determine."

b. Since 1966 the annual Military Procurement Bill has authorized the use of funds in support of free world forces in Vietnam. H.R. 17123 passed the House in this form.

c. In reporting out the bill the Senate Armed Services Committee expressed its support of the President's action in using this authority in the 1970 act in border sanctuary operations in Cambodia, but noted that doubt had been expressed as to whether the words "in Vietnam" provided sufficient authorization for this type of action. To avoid any misunderstanding the Committee changed that language to "in support of Vietnamese forces."

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d. The Committee report makes it clear that use of the authority is to be limited to border sanctuary and related operations in Cambodia and the protective reaction strikes in these locations.

e. Ed Braswell says that the Committee received no suggestions from the Defense Department in response to a request to DOD for substitute language to that contained in the original bill. The Pentagon presumably chose to place its reliance on the words ". . . on such terms and conditions as the Secretary of Defense may determine."

f. The Committee's action is an attempt to provide a broader statutory base for possible future military action (such as the recent operation into Cambodia) without creating too much of a stir among Senate doves.

2. Ed Braswell also told me that Senator Stennis is in a quandary about a CIA briefing. He is reluctant to have a briefing of the full Committee with Senators Stephen Young and Edward Brooke present and also is reluctant to call a meeting of the Armed Services CIA Subcommittee since he apparently feels that this is a prerogative of Senator Russell which he does not want to assume. In addition, he feels that a meeting of the CIA Subcommittee would be solely for the benefit of Senators Murphy and Dominick as he feels that he, Senator Symington and Senator Jackson get such information as they need on an individual basis.

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